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9
 10 UNITED STATES DISTRICT COURT
 11
 12 SOUTHERN DISTRICT OF CALIFORNIA
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 14 (HONORABLE JOHN A. HOUSTON)

15 UNITED STATES OF AMERICA,) CASE NO. 07CR3190-JAH
 16 Plaintiff,) DATE: April 14, 2008
 17 v.) TIME: 11:00 a.m.
 18
 19 **JOSE RAYMUNDO CONTRERAS-)** NOTICE OF MOTIONS IN LIMINE AND
 20 **HERNANDEZ** MOTIONS IN LIMINE TO:
 21
 22 Defendant.) (1) COMPEL THE GOVERNMENT TO PROVE
 23) THE VALIDITY OF THE DEPORTATION
 24) TO THE JURY;
 25) (2) EXCLUDE EVIDENCE NOT PRODUCED IN
 26) DISCOVERY;
 27) (3) EXCLUDE DOCUMENTS ABSENT
 28) REDACTION;
) (4) PRECLUDE TESTIMONY FROM
) GOVERNMENT WITNESSES REFERRING
) TO MR. CONTRERAS-HERNANDEZ AS
) THE "ALIEN;"
) (5) PROVIDE INSPECTION OR PRODUCTION
) OF CERTIFIED DOCUMENTS;
) (6) PRECLUDE INTRODUCTION OF "MUG
) SHOTS" OF MR. CONTRERAS-
) HERNANDEZ;
) (7) PROHIBIT THE CERTIFICATE OF
) NONEXISTENCE OF RECORD AS
) INADMISSIBLE;
) (8) PRECLUDE EVIDENCE UNDER FEDERAL
) RULE OF EVIDENCE 404(B) AND 609;
) (9) ALLOW ATTORNEY-CONDUCTED VOIR-
) DIRE;
) (10) ORDER PRODUCTION OF GRAND JURY
) TRANSCRIPTS;
) (11) PRECLUDE DOCUMENTS OF
) DEPORTATION AS EVIDENCE OF
) ALIENAGE; AND,
) (12) GRANT LEAVE TO FILE FURTHER
) MOTIONS.

1 TO: KAREN P. HEWITT, INTERIM UNITED STATES ATTORNEY, AND
2 PETER MAZZA, ASSISTANT UNITED STATES ATTORNEY:
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4 **PLEASE TAKE NOTICE** that on the above-captioned date and time, or as soon thereafter as counsel may
5 be heard, Jose Raymundo Contreras-Hernandez, by and through counsel, Candis Mitchell and Federal
6 Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.

7 **MOTIONS**

8 Mr. Contreras-Hernandez, by and through counsel, Candis Mitchell, and Federal Defenders of San
9 Diego, Inc., pursuant to the Fourth, Fifth and Sixth Amendments to the United States Constitution, Federal
10 Rules of Criminal Procedure, and all other applicable statutes, case law, and local rules, hereby moves this
court for an order to:

11 (1) Compel the Government to Prove The Validity of the Deportation to the Jury;
12 (2) Exclude Evidence Not Produced in Discovery;
13 (3) Exclude Documents Absent Redaction;
14 (4) Preclude Testimony from Government Witnesses Referring to Mr. Contreras-Hernandez as the
"Alien"
15 (5) Provide Inspection or Production of Certified Documents;
16 (6) Preclude Introduction of "Mug Shots" of Mr. Contreras-Hernandez;
17 (7) Prohibit the Certificate of Nonexistence of Record as Inadmissible;
18 (8) Preclude Evidence under Federal Rule of Evidence 404(b) and 609;
19 (9) Allow Attorney-conducted Voir-dire
20 (10) Order Production of Grand Jury Transcripts
21 (11) Preclude Documents of Deportation as Evidence of Alienage and
22 (12) Grant Leave to File Further Motions.

23 These motions *in limine* are based upon the instant motion and notice of motions, the attached
24 statement of facts and memorandum of points and authorities, and any and all other materials that may come
25 to this Court's attention at or before the time of the hearing on these motions.
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27 Respectfully submitted,
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29
30 *s/ Candis Mitchell*
31 **CANDIS MITCHELL**
32 Federal Defenders of San Diego, Inc.
33 Attorneys for Mr. Contreras-Hernandez
34 Candis_Mitchell@fd.org

35 Dated: March 29, 2008
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